

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

versus

JUSTIN LUKE MAGNUSON (3)
CLAY EVERETT MAGNUSON (4)
BRENT WARD MCCLEOD (5)
JACOB AARON EDMONDS (6)
KEVIN MCCARTY CONKLIN (7)
KENNETH WAYNE DAVIS (8)
BRADLEY MICHAEL SCHWIND (9)
DAVID JOEL MIRELES (10)
ANTHONY PAUL GAROSSINO (11)

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CRIMINAL ACTION NO. 4:20cr64

AMENDED PRE-TRIAL ORDER

This case is set for **Final Pre-Trial Conference** on December 6, 2021, at 9:00 a.m. in Courtroom #105, United States Courthouse, 7940 Preston Road, Plano, Texas, **at which time the case will either proceed to Jury Selection and Trial, or a date will be set for Jury Selection and Trial.**

The following deadlines shall apply in this case.

November 1, 2021

Any motion to suppress evidence shall be filed with the court.

November 15, 2021

Any motion for continuance shall be filed with the court.

November 29, 2021

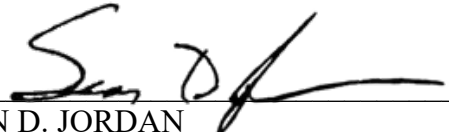
Counsel for the Government shall deliver to counsel for Defendant(s) proposed jury instructions.

<u>November 15, 2021</u> By 4:00 PM	Notification of a plea agreement shall be by email, hand delivery or fax of a signed copy of the plea agreement and factual basis for the plea. Notification that the case will proceed to trial may be by email or telephone. After this deadline, no plea agreement will be honored by the court, and Defendant may not receive a points reduction for acceptance of responsibility.
<u>November 29, 2021</u>	If the parties do not notify the Court of a plea agreement as provided above, defense counsel shall deliver to counsel for the Government any additional jury instructions desired by Defendant(s). If two or more Defendants are represented by separate counsel, their submission must be made jointly.
<u>November 29, 2021</u>	Counsel for Defendant(s) and counsel for the Government shall confer to determine which jury instructions can be agreed upon.
<u>November 29, 2021</u>	Parties shall file any motions in limine and any other pretrial motions.
<u>November 29, 2021</u>	Counsel for the Government and counsel for the Defendant(s) shall:

- A. Jointly file agreed upon instructions;
- B. Each file any proposed instructions that were not agreed upon, citing the authority for each instruction. (Any party seeking to file proposed jury instructions after the deadline may do so only with leave of Court.);
- C. Each file any objections to the other's proposed jury instructions. Objections must be written, specific, cite authority, and include any alternate instructions counsel deem more appropriate;
- D. Each file proposed voir dire questions;
- E. If counsel believes that a written response to a particular motion in limine is needed, file it as soon as possible;

- F. Each provide the court a list of witnesses, a list of exhibits anticipated to be introduced during trial, and a copy of each marked exhibit. All exhibits to be used for trial shall be pre-marked numerically and in succession. (Groups of exhibits pertaining to the same subject matter, such as photos of same scene, may, at counsel's discretion be numbered and lettered, i.e., 2a, 2b, 2c, etc.) Counsel shall provide the Court the original and two (2) copies of each list and marked exhibit.

So ORDERED and SIGNED this 28th day of September, 2021.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE